

CLOSED, CASREF, ECF

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:11-cv-08624-KTD-FM

Cook v. National Archives & Records Administration
Assigned to: Judge Kevin Thomas Duffy
Referred to: Magistrate Judge Frank Maas
Cause: 05:552 Freedom of Information Act

Date Filed: 11/29/2011
Date Terminated: 02/05/2013
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: Federal Question

Plaintiff**John Cook**

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V.

Defendant**National Archives & Records Administration**

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Date Filed	#	Docket Text
11/29/2011	<u>1</u>	COMPLAINT against National Archives & Records Administration. (Filing Fee \$ 350.00, Receipt Number 465401022946) Document filed by John Cook. (ft) (Additional attachment(s) added on 12/1/2011: # <u>1</u> Part 2) (ft). (Entered: 11/30/2011)
11/29/2011		SUMMONS ISSUED as to National Archives & Records Administration. (ft) (Entered: 11/30/2011)
11/29/2011		Magistrate Judge Frank Maas is so designated. (ft) (Entered: 11/30/2011)
11/29/2011		Case Designated ECF. (ft) (Entered: 11/30/2011)
12/16/2011	<u>2</u>	AFFIDAVIT OF SERVICE of Summons and Complaint. National Archives & Records Administration served on 12/1/2011, answer due 12/22/2011. Service was accepted by Lisa Penn. Document filed by John Cook. (Sims, Charles) (Entered: 12/16/2011)
12/30/2011	<u>3</u>	AFFIDAVIT OF SERVICE of Summons and Complaint with judge Barbara Jones Individual Rules and Individual Rules and Practices of Magistrate judge Maas along with the ECF Rules served on National Archives and Records Administration on 12/22/2011. Service was accepted by Steffon Edmonds. Document filed by John Cook. (Sims, Charles) (Entered: 12/30/2011)
01/04/2012	<u>4</u>	AFFIDAVIT OF SERVICE of Summons in a Civil Action, Complaint, Individual Practices of Judge Barbara S. Jones, Individual Practices of Magistrate Judge Maas

		and Electronic Case Filing Rules & Instructions served on National Archives & Records Administration on 12-21-11. Service was accepted by Aretha Charhes, Civil Clerk authorized to accept service on behalf of United States Attorney for the Southern District of New York. Document filed by John Cook. (Sims, Charles) (Entered: 01/04/2012)
01/20/2012	<u>5</u>	ANSWER to <u>1</u> Complaint. Document filed by National Archives & Records Administration.(Jones, David) (Entered: 01/20/2012)
03/23/2012	<u>6</u>	STIPULATION AND ORDER REGARDING CASE MANAGEMENT AND SCOPE OF FOIA REQUESTS AT ISSUE IN THIS MATTER: IT IS HEREBY STIPULATED, AGREED AND ORDERED AS FOLLOWS: NARA first will file a motion for summary judgment asserting whatever exemptions NARA contends may properly be asserted on a categorical basis, meaning legal reasons that NARA asserts apply equally to all documents at issue in this action, and to the entirety of each such document, such that detailed processing of each document is unnecessary. If that motion does not result in a final judgment for NARA dismissing the complaint in its entirety, NARA will be entitled to assert whatever exemptions it contends apply on a non-categorical basis in a second, subsequent motion. NARA shall file a motion for summary judgment on or before Monday, March 26, 2012. Plaintiff shall file its opposition on or before May 1, 2012. NARA shall file its reply papers, if any, on or before May 15, 2012. Requests for access to or items from Presidential and Vice Presidential records that were submitted by or on behalf of the current Administration ("incumbents"), members of Congress and the courts ("other requesters") are deemed excluded from the FOIA request for purposes of this litigation; as further set forth in this Stipulation and Order. (Signed by Judge Barbara S. Jones on 3/23/2012) (mro) (Entered: 03/23/2012)
03/23/2012		Set/Reset Deadlines: Motions due by 3/26/2012. Responses due by 5/1/2012 Replies due by 5/15/2012. (mro) (Entered: 03/23/2012)
03/26/2012	<u>7</u>	MOTION for Summary Judgment <i>Notice of motion</i> . Document filed by National Archives & Records Administration. Responses due by 5/1/2012(Jones, David) (Entered: 03/26/2012)
03/26/2012	<u>8</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – MOTION for Summary Judgment <i>Memorandum of Law in support of motion</i> . Document filed by National Archives & Records Administration. Responses due by 5/1/2012(Jones, David) Modified on 3/27/2012 (ldi). (Entered: 03/26/2012)
03/26/2012	<u>9</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – MOTION for Summary Judgment <i>Declaration of Thomas Mills in Support of NARA's Motion for Summary Judgment</i> . Document filed by National Archives & Records Administration. Responses due by 5/1/2012 (Attachments: # <u>1</u> Exhibit Exhibits to Declaration of Thomas Mills)(Jones, David) Modified on 3/27/2012 (ldi). (Entered: 03/26/2012)
03/26/2012	<u>10</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – MOTION for Summary Judgment <i>Declaration of Emily Robison in Support of NARA's Motion for Summary Judgment</i> . Document filed by National Archives & Records Administration. Responses due by 5/1/2012 (Attachments: # <u>1</u> Exhibits to Declaration of Emily Robison in Support of NARA's Motion for Summary Judgment)(Jones, David) Modified on 3/27/2012 (ldi). (Entered: 03/26/2012)
03/26/2012		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney David Stuart Jones to RE-FILE Document <u>8</u> MOTION for Summary Judgment <i>Memorandum of Law in support of motion</i>. Use the event type Memorandum of Law in Support of Motion found under the event list Replies, Opposition and Supporting Documents. Re-File and link ONLY to document # <u>7</u> Motion. (ldi) (Entered: 03/27/2012)
03/26/2012		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney David Stuart Jones to RE-FILE Document <u>9</u> MOTION for Summary Judgment <i>Declaration of Thomas Mills in Support of NARA's Motion for Summary Judgment</i>., <u>10</u> MOTION for Summary Judgment <i>Declaration of Emily Robison in Support of NARA's Motion for Summary Judgment</i>. Use the event type Declaration in Support of Motion

		found under the event list Replies, Opposition and Supporting Documents. Re-File and link ONLY to document # <u>7</u> Motion. (Idi) (Entered: 03/27/2012)
03/27/2012	<u>11</u>	MEMORANDUM OF LAW in Support re: <u>7</u> MOTION for Summary Judgment <i>Notice of motion..</i> Document filed by National Archives & Records Administration. (Jones, David) (Entered: 03/27/2012)
03/27/2012	<u>12</u>	DECLARATION of Thomas Mills in Support re: <u>7</u> MOTION for Summary Judgment <i>Notice of motion..</i> Document filed by National Archives & Records Administration. (Attachments: # <u>1</u> Exhibits to Declaration of Thomas Mills)(Jones, David) (Entered: 03/27/2012)
03/27/2012	<u>13</u>	DECLARATION of Emily Robison in Support re: <u>7</u> MOTION for Summary Judgment <i>Notice of motion..</i> Document filed by National Archives & Records Administration. (Attachments: # <u>1</u> Exhibits to Declaration of Emily Robison)(Jones, David) (Entered: 03/27/2012)
04/18/2012	<u>14</u>	LAW STUDENT INTERN APPEARANCE FORM: I authorize this student, Jeffrey Love: (a) to appear in court or other proceedings on behalf of the above client, and (b) to prepare documents on behalf of the above client. (Signed by Judge Barbara S. Jones on 3/30/2012) (lmb) (Entered: 04/18/2012)
04/18/2012	<u>15</u>	LAW STUDENT INTERN APPEARANCE FORM: I authorize this student, Jane C. Rosen: (a) to appear in court or other proceedings on behalf of the above client, and (b) to prepare documents on behalf of the above client. (Signed by Judge Barbara S. Jones on 3/30/2012) (lmb) (Entered: 04/18/2012)
04/30/2012	<u>16</u>	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for General Pretrial (includes scheduling, discovery, non-dispositive pretrial motions, and settlement). Referred to Magistrate Judge Frank Maas. (Signed by Judge Barbara S. Jones on 4/27/2012) (pl) (Entered: 04/30/2012)
05/01/2012	<u>17</u>	CROSS MOTION for Summary Judgment <i>pursuant to FRCP 56.</i> Document filed by John Cook.(Sims, Charles) (Entered: 05/01/2012)
05/01/2012	<u>18</u>	MEMORANDUM OF LAW in Support re: <u>17</u> CROSS MOTION for Summary Judgment <i>pursuant to FRCP 56. Memorandum of Law of Plaintiff John Cook in Opposition to Defendant's Motion for Summary Judgment and in Support of Plaintiff's Cross-Motion for Summary Judgment..</i> Document filed by John Cook. (Sims, Charles) (Entered: 05/01/2012)
05/01/2012	<u>19</u>	DECLARATION of John Cook in Support re: <u>17</u> CROSS MOTION for Summary Judgment <i>pursuant to FRCP 56..</i> Document filed by John Cook. (Sims, Charles) (Entered: 05/01/2012)
05/15/2012	<u>20</u>	REPLY MEMORANDUM OF LAW in Support re: <u>7</u> MOTION for Summary Judgment <i>Notice of motion..</i> , <u>17</u> CROSS MOTION for Summary Judgment <i>pursuant to FRCP 56. NARA's reply mem. supporting its summary judgment motion and mem. opposing plaintiff's cross-motion for summary judgment.</i> Document filed by National Archives & Records Administration. (Jones, David) (Entered: 05/15/2012)
01/03/2013	<u>21</u>	NOTICE OF CASE REASSIGNMENT to Judge Kevin Thomas Duffy. Judge Barbara S. Jones is no longer assigned to the case. (pgu) (Entered: 01/03/2013)
02/01/2013	<u>22</u>	MEMORANDUM & ORDER granting <u>7</u> Motion for Summary Judgment; denying <u>17</u> Motion for Summary Judgment. The Plaintiff's Motion for Summary Judgment is DENIED, and Defendant's Motion for Summary Judgment is GRANTED. The Clerk the Court is directed to terminate motions number 7 and 17 on the ECF docket, and to close the case. (Signed by Judge Kevin Thomas Duffy on 1/30/2013) (ft) (Entered: 02/01/2013)
02/01/2013		Transmission to Judgments and Orders Clerk. Transmitted re: <u>22</u> Order on Motion for Summary Judgment to the Judgments and Orders Clerk. (ft) (Entered: 02/01/2013)

02/05/2013	<u>23</u>	CLERK'S JUDGMENT That for the reasons stated in the Court's Memorandum and Order dated February 4, 2013, Plaintiff's motion for summary judgment is denied, and Defendant's motion for summary judgment is granted; accordingly, the case is closed. (Signed by Clerk of Court Ruby Krajick on 2/5/13) (Attachments: # <u>1</u> Notice of Right to Appeal)(ml) (Entered: 02/05/2013)
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